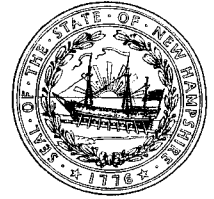




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

November 3, 2005

Mr. Cary Whipple, President
United Construction Corporation
P.O. Box 43
Newport, New Hampshire 03773

CERTIFIED MAIL (7099 3400 0018 1290 6757)
RETURN RECEIPT REQUESTED
NOTICE OF PAST VIOLATION
(Asb)

RE: Demolition at 126 East Main Street, Bradford, New Hampshire

Dear Mr. Whipple:

On March 21, 2005, the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), received information that United Construction Corporation ("UCC") was in the process of demolishing the remains of a fire-damaged convenience store located at 126 East Main Street, Bradford, New Hampshire (the "Property").

On March 22, 2005, DES personnel went to the Property to determine conformance with provisions of RSA 141-E and the NH Admin. Rules Env-A 100 *et seq.*, specifically, Env-A 1800, *Asbestos Management and Control*. DES personnel photographed the contents of two remaining dumpsters on the Property. After further investigation, and conversations with James Currier of UCC, it was determined that a few loads of demolition debris had been removed the prior day.


The purpose of this letter is to notify you of the violations discovered during the inspection conducted on March 22, 2005. The specific violations are as follows:

- Env-A 1803.03 requires each facility operator to provide written notification to the department and the city/town health officer, as applicable to the worksite location, in accordance with Env-A 1803.06 at least 10 working days before any demolition activity begins. This notification is required regardless of the amount of asbestos containing material ("ACM"), if any, that is contained in the facility. DES never received written notification of any demolition activity.
- Env-A 1804.01 requires that before undertaking any demolition or renovation, each facility operator shall provide for an inspection of the affected portion(s) of the facility for the presence of ACM. The inspection must be done by someone capable of identifying asbestos hazards and who has completed, at a minimum, a training course for asbestos inspectors. DES never received any information indicating that an inspection for ACM was performed.

No further action related to the listed violations is required. However, please be advised that prior to initiating any future renovation or demolition activities, an inspection for ACM is required. DES believes that you can avoid the improper disturbance of ACM and the health hazards and liability that are associated with exposure to asbestos by complying with Env-A 1800, *Asbestos Management and Control*.

If you believe that DES has cited these violations in error or have any questions or additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Air Resources Division, at (603) 271-1373.

Sincerely,

A handwritten signature in black ink is written over the word "COPY", which is printed in large, bold, outlined capital letters. The signature appears to be "P. Monroe" with a stylized flourish at the end.

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/asb

Enclosure: Env-A 1800
Demolition/Renovation Notification Form

cc: W. Toland, EPA Region 1
G. Hamel, Legal Unit Administrator
Cheryl Behr, Town of Bradford Administrator
Source File